

FEDERAL PUBLIC DEFENDER

NORTHERN DISTRICT OF CALIFORNIA
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August 31, 2007

Honorable Sandra Brown Armstrong
United States District Court Judge
1301 Clay Street, Courtroom No. 3
Oakland, CA 94612
attn: Lisa Clark

United States v. David Shivers CR 07-00346 SBA
RE: Changing 9/4/07 court appearance to a status hearing

Dear Judge Armstrong:

The above-referenced case is currently on Your Honor's calendar for September 4, 2007, at 11:00 a.m. for change of plea. The parties are not prepared to proceed with a change of plea on Tuesday, September 4, 2007, but do anticipate that the case will resolve in a change of plea imminently. Accordingly, I am asking that matter be taken off the 11:00 a.m. calendar and placed on the 9:00 a.m. calendar for status.

I have spoken to Special Assistant United States Attorney Derek Butts who does not object to the case being called at 9:00 a.m.

Thank you.

Sincerely,

BARRY J. PORTMAN
Federal Public Defender

/S/
JOYCE LEAVITT
Assistant Federal Public Defender

cc: Derek Butts, SAUSA